



AAC/1 CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Donald F. Albert et al.

Application No. : 09/972,163 Confirmation No. : 5897

Filed : October 4, 2001

For : ORGANIC, OPEN CELL FOAM MATERIALS,
THEIR CARBONIZED DERIVATIVES, AND
METHODS FOR PRODUCING SAME

Group Art Unit : 1771

Examiner : Hai Vo

Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §§ 1.56 and 1.97, applicants, through their representatives, wish to call the attention of the Examiner to the following references:

FOREIGN PATENT DOCUMENTS

Country	Publication No.	Publication Date
Europe	EP 0 261 033 A	March 23, 1988
Germany	DE 197 08 729 A	October 1, 1998
Germany	DE 198 40 640 A	March 16, 2000

The aforementioned references were first cited in an International Search Report issued in connection with International application PCT/US01/44632, the corresponding foreign application to U.S. patent application 09/997,582, which is a continuation-in-part of the present application. A copy of the International Search Report is enclosed herewith.

The aforementioned references were also cited in a May 9, 2003 Supplemental Information Disclosure Statement. However, applicants are citing the references again in the present Second Supplemental Information Disclosure Statement because an explanation of relevance of the foreign language references pursuant to 37 C.F.R. § 1.98(a)(3) was inadvertently omitted from the May 9, 2003 Supplemental Information Disclosure Statement.*

Statement Pursuant to 37 C.F.R. § 1.98(a)(3)

The only knowledge applicants and their representatives have regarding the relevance of references EP 0 261 033 A and DE 198 40 640 A is that the International Search Report cited these references in the "document

* US patents 3,913,776, 4,079,729, 4,635,042, and 5,642,776 cited in the International Search Report were cited in the May 9, 2003 Supplemental Information Disclosure Statement, and so are not included in the present Second Supplemental Information Disclosure Statement.

defining the general state of the art" category, and only with respect to claims in International application PCT/US01/44632 directed at insulated barriers.

The International Search Report also cited DE 197 08 729 A in the "document of particular relevance" category, but only with respect to claims in International application PCT/US01/44632 directed at insulated barriers and methods of producing insulated barriers. An English language abstract from equivalent application WO 98/39156 is also enclosed.

A copy of each of the aforementioned documents, which are listed on the accompanying Form PTO-1449 (submitted in duplicate), is enclosed herewith.

This Statement is being filed before the issuance of an Office Action on the merits in the present application. Accordingly, no payment of fees is required pursuant to 37 C.F.R. § 1.97(b)(3). However, if for any reason a fee is due, the Director is hereby authorized to charge payment of any fees required in connection with this Statement to Deposit Account No. 06-1075.

Applicants respectfully request that the enclosed references be (1) considered by the Examiner prior to issuance of any patent from this application; and (2) printed

on any patent that may issue from this application.

Applicants also request that a copy of the enclosed Form PTO-1449, as considered and initialed by the Examiner, be returned with the next communication.

Respectfully submitted,

Denise B.

Marta E. Gross (Reg. No. 33,504)
Pablo D. Hendlar (Reg. No. 40,015)
Denise Bergin (Reg. No. 50,581)
Attorneys for Applicants
Nina R. Horan (Reg. No. 47,662)
Agent for Applicants
FISH & NEAVE
Customer No. 1473
1251 Avenue of the Americas
New York, New York 10020-1104
Tel.: (212) 596-9000
Fax : (212) 596-9090

 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO.	APPLICATION NO.
	AAC/1 CIP	09/972,163
	APPLICANTS Donald F. Albert et al.	CONFIRMATION NO. 5897
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	FILING DATE October 4, 2001	GROUP 1771

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	EP 0 261 033 A	03/23/88	Europe	B65D	81/38		X
	DE 197 08 729 A	10/01/98	Germany	F25D	23/08	X Abstract only	
	DE 198 40 640 A	03/16/00	Germany	F25D	23/06		X

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not conformance and not considered. Include copy of this form with next communication to applicant.